

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference IGT1P153.WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2006/024129	International filing date (<i>day/month/year</i>) 20 June 2006 (20.06.2006)	Priority date (<i>day/month/year</i>) 01 July 2005 (01.07.2005)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant IGT		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 7 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44 <i>bis</i> .3(c) and 93 <i>bis</i> .1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44 <i>bis</i> .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Date of issuance of this report 09 January 2008 (09.01.2008)</td> </tr> <tr> <td style="padding: 5px;"> Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Yolaine Cussac</div> </td> </tr> <tr> <td style="padding: 5px;">e-mail: pt11.pct@wipo.int</td> </tr> </table>	Date of issuance of this report 09 January 2008 (09.01.2008)	Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Yolaine Cussac</div>	e-mail: pt11.pct@wipo.int
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e-mail: pt11.pct@wipo.int				

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2006/024129

International filing date (day/month/year)
20.06.2006

Priority date (day/month/year)
01.07.2005

International Patent Classification (IPC) or both national classification and IPC
INV. G07F17/32

Applicant
IGT

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Date of completion of
this opinion

see form
PCT/ISA/210

Authorized Officer

Lavin Liermo, Jesus

Telephone No. +49 89 2399-2289



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2006/024129

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2006/024129

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2-15, 17-27, 29-38
	No: Claims	1, 16, 28
Inventive step (IS)	Yes: Claims	
	No: Claims	1-38
Industrial applicability (IA)	Yes: Claims	1-38
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 Reference is made to the following documents:

D1 : WO-A-03085613

D4 : US-B-6199107

- 2 Claims 1, 12, 16 (method claims) and claims 28, 34, 36 (device claims) do not fulfil the requirements of Art. 6 PCT because only an independent claim in every category is allowable.

Nevertheless a complete substantive examination will be performed for the sake of completeness.

- 3 Claim 1 does not fulfil the requirements of Art. 33(2) PCT.

D1 discloses a method of downloading gaming software (Abstract "transfer gaming software....between two gaming devices"), the method comprising: determining that desired gaming software is available (page 44 lines 6-10 "the gaming software registration database...what gaming software upgrades are available...a gaming machine operator may request this information..."); selecting a channel corresponding to the desired gaming software (Abstract "gaming machine may...communicate with devices over a public network such as the Internet", this implies TCP/IP protocol is used, and the IP protocol requires predefined IP addresses of sender and receiver, and the TCP protocol requires predefined source port and destination port, thus a predefined channel is assigned to a software); and downloading the desired gaming software on a selected channel (Abstract "transfer gaming software....between two gaming devices").

Claim 1 is therefore not novel (Art. 33(2) PCT).

- 3). Claim 12 does not fulfil the requirements of Art. 33 (3) PCT.

D1 discloses a method of downloading gaming software in a network of gaming

machines (Abstract "transfer gaming software....between two gaming devices"), comprising:
detecting desired software from a continuous transmission of gaming software on a channel of a gaming network;
beginning a download of the desired gaming software at a first frame;
and
completing the download of the desired gaming software at a second frame (Abstract "transfer gaming software....between two gaming devices.....Internet", the software is downloaded using the TCP/IP protocol).

The following feature of claim 12 is not anticipated by D1:

- (i) wherein the first arbitrary frame and the second arbitrary frame are not the first and last frames of the desired software.

The applicant did not indicate in the application which is the technical problem to be solved by feature (i). Feature (i) is very broad and could have several interpretations one of them, could result in that the problem to be solved by feature (i) can be formulated as:

- p1 which download scheme is chosen for downloading the packets to the gaming machine?

It was well-known before the priority date of the application that there are two basic schemes for carrying out a download a complete download of a software or a partial download (some components of the software are downloaded but not the whole, e.g. D4 Abstract "partial download, Figures 12, 13). The skilled person in view thereof would allow to perform a partial download in D1 -thus introducing feature (i) into D1- for the purpose of solving p1.

The subject-matter of claim 12 does therefore not fulfil the requirements of Art. 33(3) PCT.

- 4). Claim 16 does not fulfil the requirements of Art. 33(2) PCT.

As indicated above D1 (Abstract, page 44 lines 6-10) discloses the transmission of software via Internet. Every Internet channel is determined by the IP address

and TCP port. This teaching anticipates the features of claim 16.

Claim 16 is therefore not novel (Art. 33(2) PCT).

The common general knowledge renders obvious claim 16. Basically claim 16 is trying to cover the scope that a first software is sent using a channel A, and a second software is sent using channel B. It was well-known before the priority date that a computer had two different point-to-point connections (i.e. the most basic connection is using the interface RS-232 of the computer). This implied that for a predetermined exchange of information (e.g. downloading data) with a first terminal a first channel was used (first point-to-point connection), and for a predetermined exchange of information with a second terminal a second channel was used (second point-to-point connection).

- 5). D1 (Abstract, Figures 1, 9-11, page 6 second paragraph) anticipates the features of claim 28. Claim 28 does therefore not fulfil the requirements of Art. 33(2) PCT.
 - 6). The supplementary features of the further claims refer to either non-technical features (e.g. claim 9) or to commonplace technical features which cannot serve as basis for an allowable independent claim.
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